

IN RE: PETITION FOR SPECIAL HEARING
NW/S Southwestern Boulevard, 230 ft.
NE of c/l of Leeds Avenue
3600 Georgetown Road
13th Election District
1st Councilmanic District
Legal Owner: Craig Fetter's Auto
& Truck Center, Inc.
Contract Pur.: Fetter's Auto Repair, Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-322-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 4010 Southwestern Boulevard in the Arbutus community of southwestern Baltimore County. The Petition was filed by Craig Fetter's Auto and Truck Center, Inc., property owner. Special Hearing relief is requested to approve an amendment to the special exception granted in zoning case No. 84-143-X, to allow a 2900 sq. ft. addition for a proposed service garage. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Craig Fetter, the President of Craig Fetter's Auto and Truck Center, Inc., and the principal of Fetter's Auto Repair, the trade name of the business which operates on this site. The Petitioner was represented by Roger Sullivan, Esquire. There were no Protestants or other interested persons present.

An examination of the site plan shows that the subject property is an irregularly shaped parcel, approximately .45 acres in area, zoned B.L. The property has frontage on Southwestern Boulevard (U.S.Route 1). Apparently Mr. Fetter has owned the property for many years. Originally, a gasoline station opened on the property in approximately 1950. Later, in 1983, the Petitioner was granted special exception approval to operate an automobile service garage on the site that year. The property has been used in that fashion since then. The property is presently improved with a 1 story metal building which contains 2 service bays. Mr. Fetter proposes the construction of a 1 story block addition which will

ORDER RECEIVED FOR FILING

Date

By

4/12/99
[Signature]

provide an additional 3 bays. As shown on the plan, the addition is 24 ft. x 30 ft. in dimension. A small metal shed which presently provides storage/office space at the location of the proposed addition will be razed.

Mr. Fetter testified that his shop does mechanical work, including engine, transmission and tune-ups. The business does not do any body or fender work. Photographs of the site show that the property is well maintained and enjoys a dense area of landscaping and mature trees which buffer the site from an adjacent property owned by the YWCA of Greater Baltimore.

Based upon the uncontradicted testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. In my judgment, the building addition will not detrimentally impact surrounding properties nor is it an over intensification of the site.

However, in approving the use, I will require that the Petitioner maintain/install landscaping to buffer the use from the residential apartment complex which abuts the site along its rear property line. Such landscaping shall consist of either plant material or a board on board fence. I will leave the precise nature of the landscaping required to the discretion of Avery Hardin, the County's Landscape Architect. Mr. Hardin shall determine the landscape which is appropriate for this site in its entirety, particularly concentrating on the buffering the rear of the property and the adjacent YWCA use. Moreover, the Petitioner's business shall be restricted to mechanical work only and no body and paint work shall be permitted.

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 12th day of April 1999, that the Petition for Special Hearing to approve an amendment to the special exception granted in zoning case No. 84-143-X, to allow a 2900 sq. ft. addition for a proposed service garage, be and is hereby GRANTED, subject, however, to the following restrictions:

ORDER RECEIVED FOR FILING
Date 4/12/99
By M. H. H. H.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired.
2. The Petitioner shall submit a landscape plan for review and approval to the Baltimore County's Landscape Architect, Avery Hardin. Such plan shall be designed to buffer the use from the residential apartment complex to the rear of the site and to generally improve the appearance of the property.
3. The Petitioner shall not perform any body and fender repair, painting and/or similar work. The service garage shall perform only mechanical work (e.g., engine repairs, transmissions, etc.).


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED
Date 4/12/99
By Mr. Grook



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

April 12, 1999

Roger Sullivan, Esquire
Law Offices of Covahey and Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 99-322-SPH
Property: 4010 Southwestern Boulevard
Fetter's Auto Repair, /Craig Fetter's Auto and Truck Center, Petitioner

Dear Mr. Sullivan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
Encl.
Copy to:
Mr. Craig A. Fetter
Fetter's Auto Repair
1026 Leeds Avenue
Baltimore, Maryland 21229





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4010 SOUTHWESTERN BLVD
which is presently zoned BL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE AMENDMENT OF A SPECIAL EXCEPTION FROM ZONING HEARING CASE # 84-143-X TO
INCLUDE A 2,900 SQUARE FOOT ADDITION, WHICH IS A PROPOSED SERVICE GARAGE.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

FETTER'S AUTO REPAIR
Name - Type or Print
Craig A. Fetter - OWNER
Signature
1026 LEEDS AVE 410-242-6589
Address Telephone No.
BALTO. MD 21229
City State Zip Code

Attorney For Petitioner:

F. VERNON BOOZER
Name - Type or Print
[Signature]
Signature
COVAHEY & BOOZER, P.A.
Company
1614 Bosley Ave 410-828-9441
Address Telephone No.
TOWSON, MD 21204
City State Zip Code

Legal Owner(s):

CRAIG FETTER'S AUTO + TRUCK CENTER INC.
Name - Type or Print
Craig A. Fetter
Signature
CRAIG A. FETTER - PRESIDENT
Name - Type or Print
1026 LEEDS AVE. 410-242-6589
Address Telephone No. day
BALTO. MD 21229
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 99-322-SPH

Reviewed By BR Date 2/18/99

kjWellsInc
Land Surveying and Site Planning

Telephone: (410) 592-8800
Telecopier: (410) 817-4329
email: kjWellsInc@msn.com

7403 New Cut Road
Kingsville, Md. 21087-1132

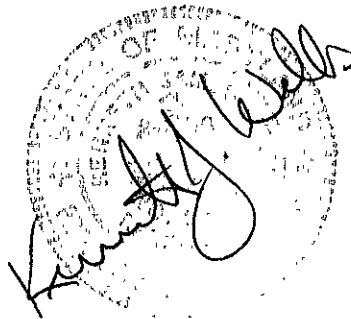
January 29, 1999

ZONING DESCRIPTION
4010 SOUTHWESTERN BOULEVARD
BALTIMORE COUNTY
MARYLAND

Beginning for the same at a point on the northwest side of Southwestern Boulevard which is 100 feet wide at a distance of 230 feet more or less northeast of the centerline of Leeds Avenue which varies in width, thence for the following courses and distances:

- 1) North 61 degrees 54 minutes 37 seconds West 100.00 feet
- 2) South 28 degrees 05 minutes 23 seconds West 4.17 feet
- 3) North 39 degrees 35 minutes 23 seconds East 98.01 feet
- 4) South 61 degrees 54 minutes 37 seconds East 152.74 feet
- 5) South 28 degrees 05 minutes 23 seconds West 125.00 feet

to the place of beginning as recorded in a Deed Liber 6600 folio 399.

A circular notary seal for the State of Maryland is visible, with the words "NOTARY PUBLIC" and "STATE OF MARYLAND" around the perimeter. Overlaid on the seal is a handwritten signature in cursive that reads "Kenneth Wells".

99-322-SPH

#322

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 063787

DATE 2/18/99 ACCOUNT Recd-615
AMOUNT \$ 250.00

RECEIVED FROM: Vernon Booser

FOR: code 040 Special Hearing

99-322-SPH

PAID RECEIPT
PROCESS ACTUAL THE
2/18/99 2/18/99 13:45:17
FOR WAS CASHIER AND PEN MONEY
A RECEIVING CASH RECEIPT
RECEIVED BY
DATE 2/18/99
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Item 322

**NOTICE OF ZONING
HEARINGS**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #89-322-SPH
4810 Southwestern Boulevard
NW/S Southwestern Boulevard,
230' NE of centerline
Leeds Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Craig Fetter's
Auto & Truck Center, Inc.
Contract Purchaser: Fetter's
Auto Repair

Special Hearing: to approve an amendment for zoning hearing case number 84-143-X to include a 2,900 square foot addition, which is an approved service garage.
Hearing: Thursday, April 1, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Besley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3331.
3/21/99 March 11 0295543

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/11, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/11, 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-322-SPH
PETITIONER/DEVELOPER:
(Fetters Auto Repair)
DATE OF Hearing
(APR. 1, 1999)

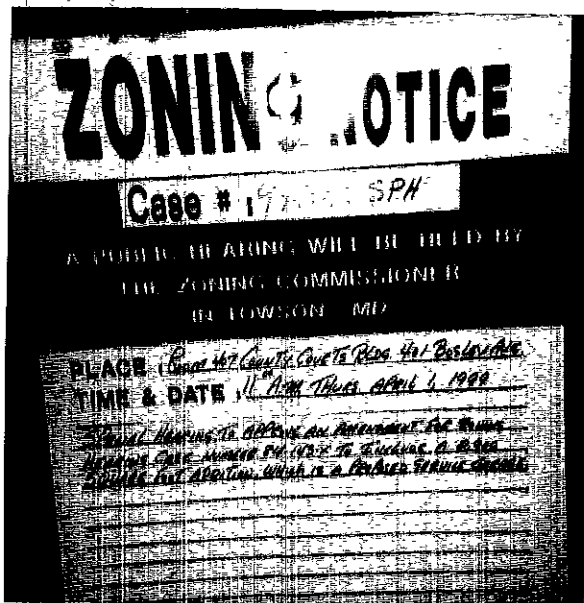
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
4010 Southwestern Blvd. Baltimore, Maryland 21229_____

7-99 _____
nth, Day, Year)



Sincerely,

Thomas P. Ogle 3/17/99
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
[Telephone Number]

99-322-SPH

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-322-SPH
Petitioner: Fetter's Auto Repair
Address or Location: 4010 Southwestern Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: F. Vernon Boozer
Address: 614 Bosley Ave
Towson, MD 21204
Telephone Number: 410.828.9441

Revised 2/20/98 - SCJ

#322

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-22-SBH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing to amend a special exception
(zoning case # 84-143-x) to construct a 2900 square foot
addition to the existing service garage.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
March 11, 1999 Issue – Jeffersonian

Please forward billing to:

F. Vernon Boozer, Esquire 410-828-9441
614 Bosley Avenue
Towson, MD 21204

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-322-SPH
4010 Southwestern Boulevard
NW/S Southwestern Boulevard, 230' NE of centerline Leeds Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Craig Fetter's Auto & Truck Center, Inc.
Contract Purchaser: Fetter's Auto Repair

Special Hearing to approve an amendment for zoning hearing case number 84-143-X to include a 2,900 square foot addition, which is a proposed service garage.

HEARING: Thursday, April 1, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



^{sc}
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 2, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-322-SPH
4010 Southwestern Boulevard
NW/S Southwestern Boulevard, 230' NE of centerline Leeds Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Craig Fetter's Auto & Truck Center, Inc.
Contract Purchaser: Fetter's Auto Repair

Special Hearing to approve an amendment for zoning hearing case number 84-143-X to include a 2,900 square foot addition, which is a proposed service garage.

HEARING: Thursday, April 1, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: F. Vernon Boozer, Esquire
Craig Fetter's Auto & Truck Center, Inc.
Fetter's Auto Repair

- NOTES: (1) **THE PETITIONER/ MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 17, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 25, 1999

F. Vernon Boozer, Esq.
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No.: 99-322-SPH
Petitioner: Fetter's Auto Repair
Location: 4010 Southwestern Blvd.

Dear Mr. Boozer:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 18, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 19, 1999

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 1, 1999
 Item No. 322

The Bureau of Development Plans Review has reviewed the subject zoning item. A schematic landscape plan must be submitted.

- Ten-foot landscape strip required along the public road and all adjacent residential uses.

RWB:HJO:jrb

cc: File

ZONE0301.322



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

March 11, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: G.D. & R., LTD. - 324
KATHY STUMPF FARACE - 323
CRAIG FETTER'S AUTO & TRUCK CENTER, INC. - 322
KINGSVILLE PLAZA LIMITED PARTNERSHIP - 320
RODICK REALTY PARTNERSHIP 1 - 318

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: 324, 323, 322, 320, 318 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 16, 1999

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 4010 Southwestern Boulevard

INFORMATION:

Item Number: Item 322
Petitioner: Craig Fetter's Auto and Truck Center, Inc.
Property Size: .45± ac.
Zoning: BL
Requested Action: Special Hearing to amend Case No. 84-143X
Hearing Date:

The property in question, 4010 Southwestern Boulevard, is improved with an existing one story block service garage, 30'x48', and a metal shed. The development proposal involves removing the metal shed and constructing a substantial 50'x 55', 9 bay addition to the existing building which will revitalize the area. The site adjoins residential uses to the north and west; it adjoins commercial uses, a convenience store/restaurant and the YWCA along Southwestern Boulevard (US Route 1).

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the proposed addition provided the following comments are addressed:

1. Add a note on the plan indicating that damaged and disabled vehicles will not be stored outside the building.
2. A landscape and lighting plan should be submitted to Avery Harden, County Landscape Architect for review and approval prior to issuance of building permits. It should contain the following.

Adequate screening along all property lines abutting residential uses. The preferred screening is a board-on-board fence tying into the existing fence along the YWCA's property line and to be continued to Southwestern Boulevard. Provide landscaping on the residential side of the fence.

Streetscape is recommended along Southwestern Boulevard since there is no existing landscape treatment along the property frontage.

Section Chief: _____

AFK:DI:lsn

c: Avery Harden

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: -----

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 3/11/99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 315
319
320
322
323
324



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.1.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

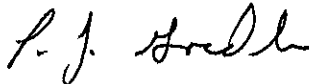
RE: Baltimore County
Item No. 322 BR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
4010 Southwestern Boulevard, NW/S Southwestern
Blvd, 230' NE of c/l Leeds Ave, 13th Election
District, 1st Councilmanic

Legal Owners: Craig Fetter's Auto & Truck Center, Inc.
Contract Purchaser: Fetter's Auto Repair
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-322-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th March day of ~~February~~, 1999, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esq., Covahey & Boozer, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 10, 1998

Mr. Craig Fetter
Fetter's Auto Repair
4010 Southwestern Boulevard
Arbutus, Maryland 21229

Dear Mr. Fetter:

RE: 4010 Southwestern Boulevard, Zoning Case #84-143-X, 13th Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for approval of a 2,900- square foot service garage granted by zoning hearing case #84-143-X, as shown on the submitted site plan. The zoning of this site per the 1"= 200' scale zoning map #SW 3-D is still Business, Local (B.L.). This matter has been reviewed by staff and it has been determined that this proposed expansion of over 200% will require a special hearing to amend the prior zoning hearing. Enclosed are the petition forms, as well as a self explanatory sample procedure booklet.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John J. Sullivan, Jr.".

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:cjs

Enclosures

c: zoning case 84-143-X

99.322-SPH

Come visit the County's Website at www.co.ba.md.us

322

**FETTER'S AUTO REPAIR
4010 SOUTHWESTERN BOULEVARD
ARBUTUS, MARYLAND 21229
(410) 242-6575
FAX (410) 242-6911**

November 4, 1998

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and
Development Management
County Office Bldg., Room 109
Towson, Maryland 21204

Re: Fetter's Auto Repair
4010 Southwestern Boulevard

Dear Mr. Jablon,

This shall serve as a request to expand our present 1,400 square foot *Service Garage Facility* at the above address by 2,900 square foot to total 4,300 square foot.

This facility presently exists as a special exception in a BL zone by virtue of a 1984 hearing (case 84-143x, Item 68) granting special exceptions for a service garage. Since 1984 this facility has existed harmoniously and in full compliance with zoning requirements in this commercially underutilized area of Southwestern Boulevard.

Fetter's Auto Repair provides a much needed and well respected auto care to this area. However, with the increasing complexity and sophistication of newer cars, additional and more sophisticated equipment is required to properly service these newer autos and their attendant requirements.

Further, it is an economic reality that a larger facility is required to support the cost of these expensive service tools.

In addition, we plan to concurrently "spruce up" and landscape the existing property with the planned improvements.

We therefore respectfully request that you concur with our judgement that the planned expansion is within the spirit and intent for which the original special exception was granted. And that we may go directly to the permit process for our improvements.

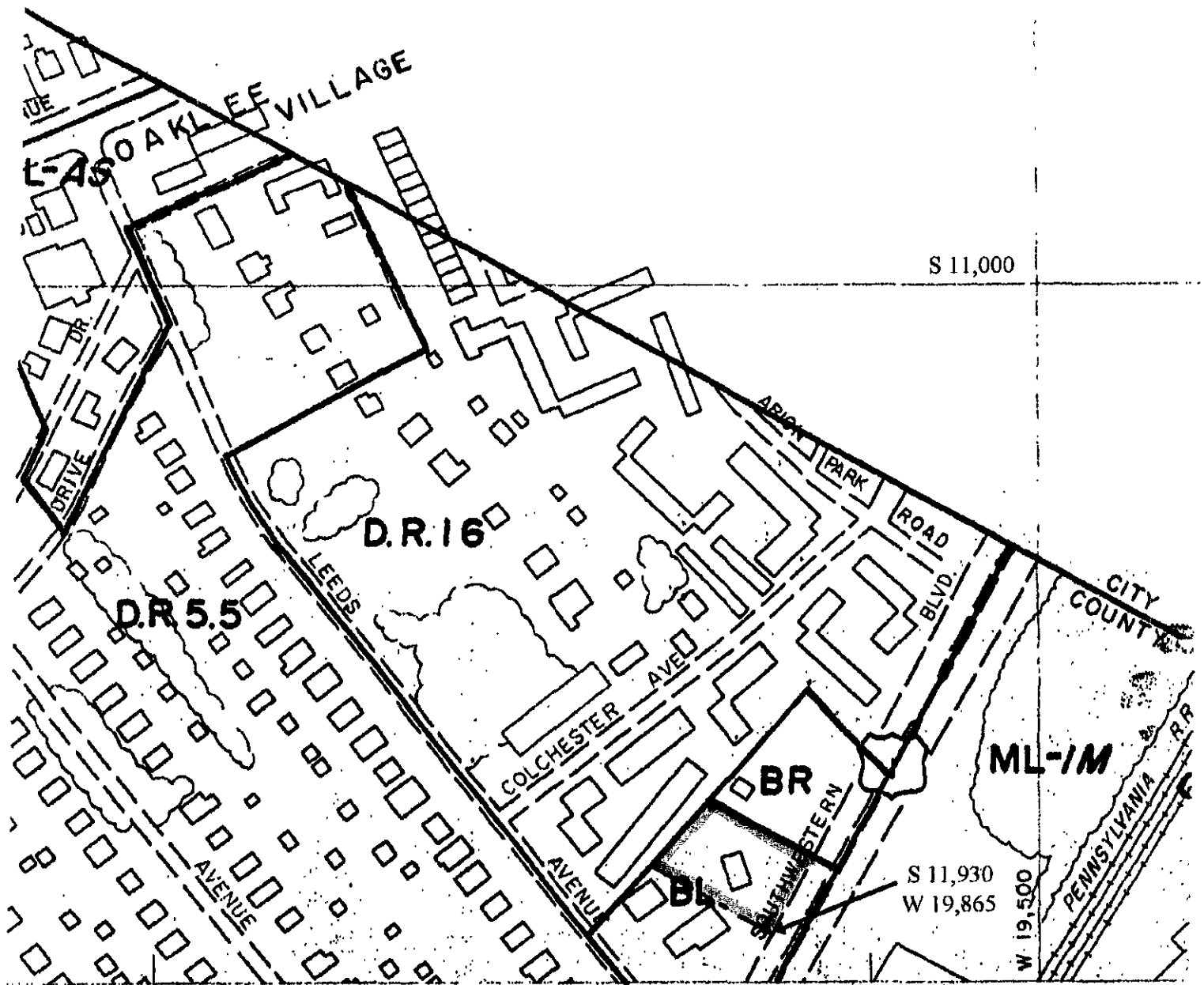
Sincerely,

Craig Fetter, Owner
FETTER'S AUTO REPAIR

cc: Mr. Donald Rascoe, Baltimore County
Mr. Kenneth Wells

99-322-SPH

#322



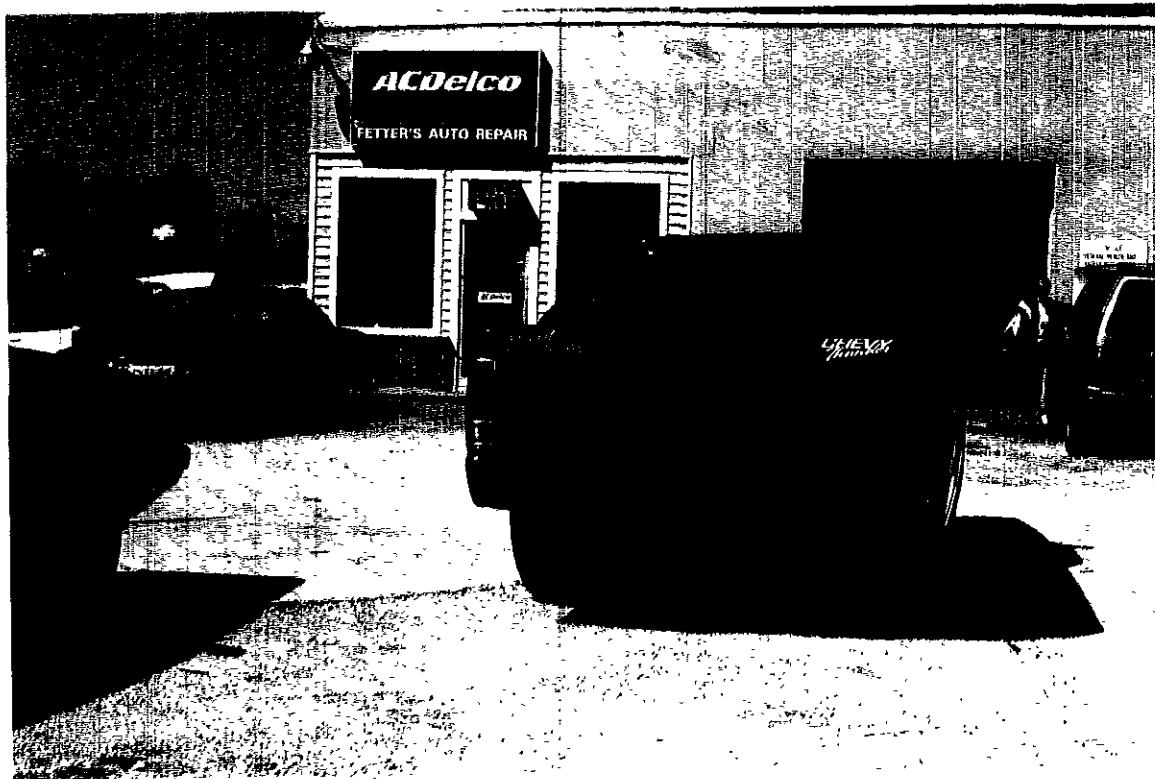
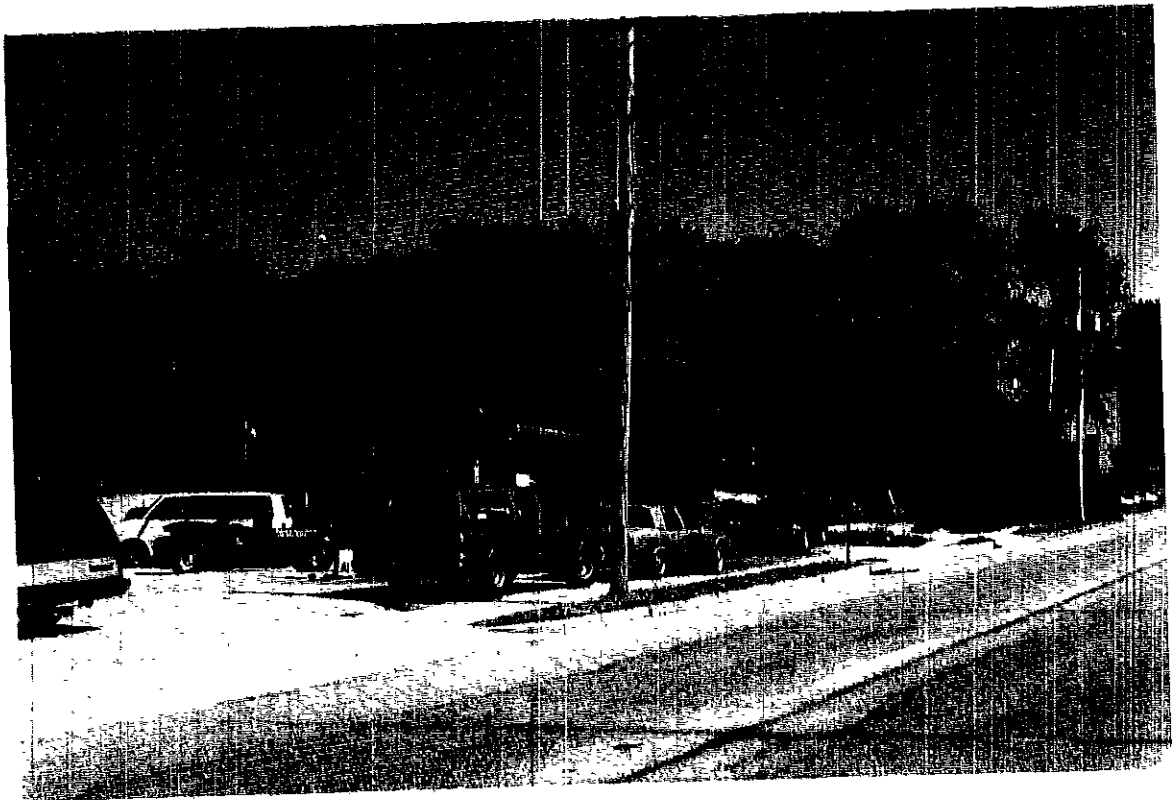
BALTIMORE COUNTY
OFFICIAL ZONING MAP

SHEET S.W. 3-D

SCALE: 1" = 200'

99-322-SPH

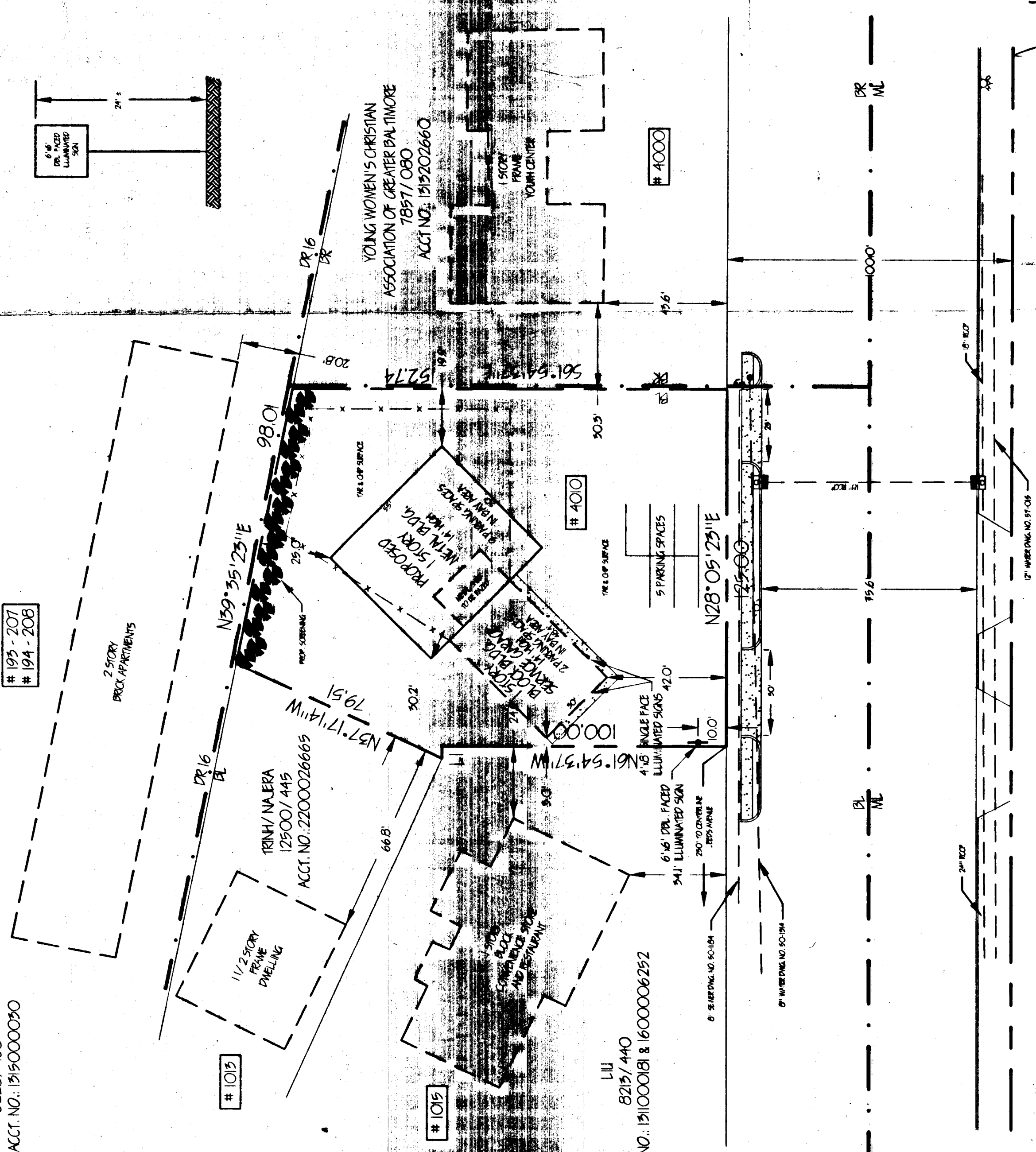
#322





LINE TABLE		
LINE	LENGTH	BEARING
L1	4.17	S28°05'23"W

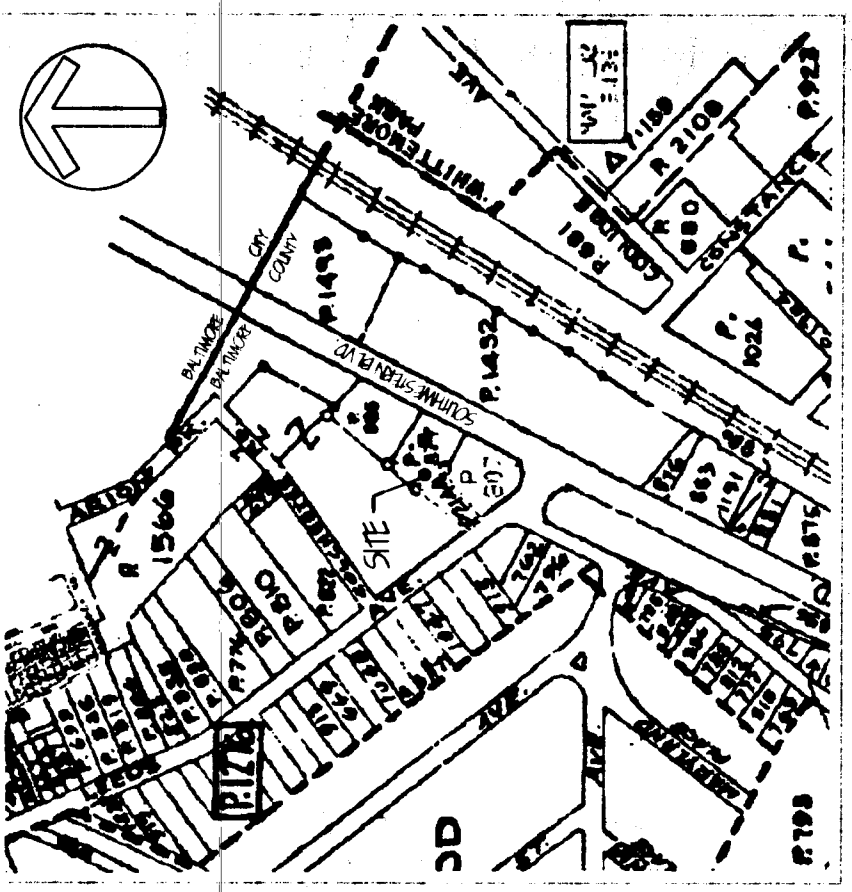
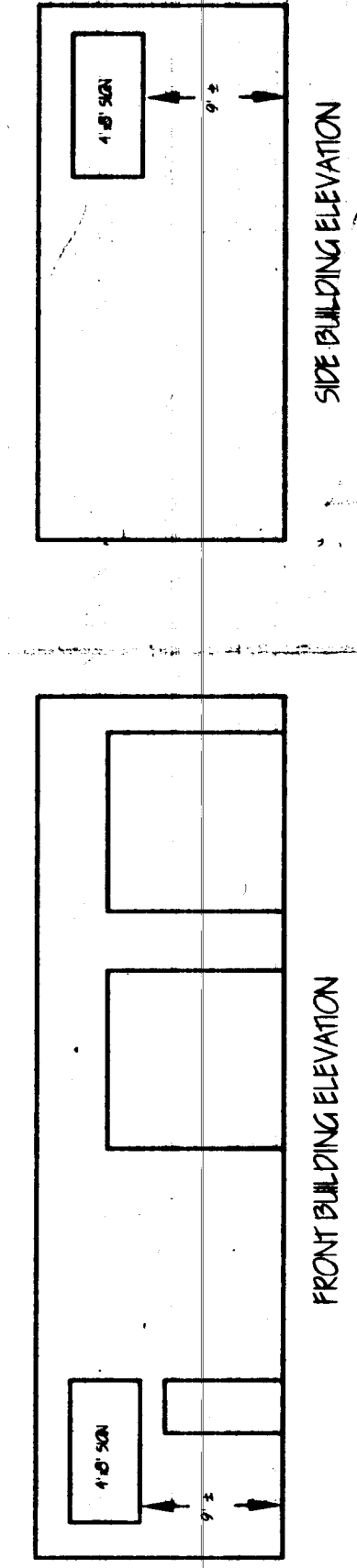
DEVONSHIRE ASSOCIATES
6228 / 468
ACCT. NO.: 1315000030



SOUTHWESTERN BLVD. (U.S. ROUTE 1)

Ad's No!

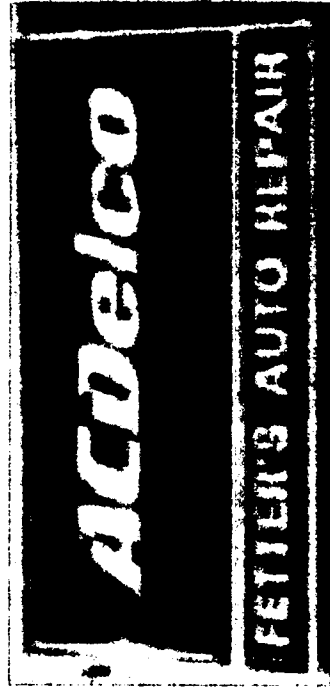
- LEGEND
- ⊗ FIRE HYDRANT
 - ⊕ INLET
 - ⊙ SANITARY SEWER INLET
 - ⊖ UTILITY POLE



VICINITY MAP
SCALE: 1" = 500'

SITE DATA

- OWNER'S NAME: GRAG FETTER'S AUTO & TRUCK CENTER, INC.
- OWNER'S ADDRESS: 1026 LEEDS AVENUE, BALTIMORE, MARYLAND 21229
- OWNER'S TELEPHONE: 410-246-6975
- DEED REFERENCE: 6600 / 399
- TAX ACCT. NO.: 190001569
- TAX MAP: 101 2RD. B PARCEL 877
- ZONING: PL
- AREAS:
 - BUILDING - 4,202 SQUARE FEET
 - LAND - 0.45 ACRES
 - PREVIOUS COMMERCIAL PERMITS: NONE
 - PREVIOUS ZONING HEARINGS: NONE
 - A CASE NO. 1725 GRANTED THE LAND TO BE USED AS A GASOLINE SERVICE STATION ON JUNE 2, 1970
 - CASE NO. 84-145-1 GRANTED A SPECIAL EXCEPTION FOR A SERVICE GARAGE ON DECEMBER 3, 1983
 - SERVICE GARAGE ON DECEMBER 3, 1983
 - FLOOR AREA: 4,202 / 19667 - 0.2
 - PROPOSED PARKING: 16 SPACES (11 SPACES IN BAY AREAS)
 - ZONING MAP: 50 3-D
 - AVENUE OPEN SPACE: NONE REQUIRED
 - PARKING:
 - REQUIRED PARKING: 4,202 / 1000 = 5.5 = 14 SPACES
- 1st Councilmanic District / 13th Election District



6' 16" DOUBLE FACED
ILLUMINATED SIGN

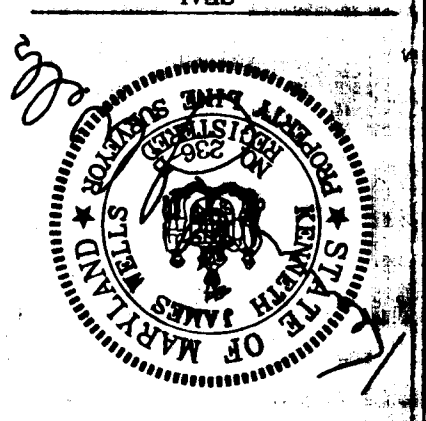
GRAPHIC SCALE



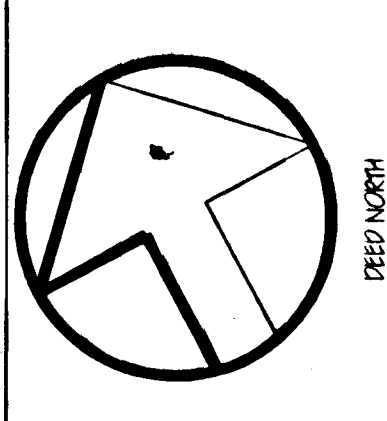
(IN FEET)
1 inch = 30 ft.

kjwell Inc.
7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-8800

Land Surveying & Site Planning



PLAN TO ACCOMPANY
A PETITION FOR A
SPECIAL HEARING
4010 SOUTHWESTERN BOULEVARD
BALTIMORE COUNTY, MARYLAND



DRAWN BY: KJW
CHECKED BY: KJW
DATE: 11/29/99
PROJECT NO.: 98046
SHEET 1 OF 1